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| FORM PTO-1390 (REV. 01-2003) | | US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE | | ATTORNEY'S DOCKET NUMBER 129370 | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | | U.S. APPLICATION NO. (if known, see 37 CFR 1.5) New U.S. Patent Application 10/592958 | |
| INTERNATIONAL APPLICATION NO. PCT/IB2005/001101 | | INTERNATIONAL FILING DATE April 25, 2005 | | PRIORITY DATE CLAIMED April 26, 2004 | |
| TITLE OF INVENTION FUEL CELL SYSTEM | | | | | |
| APPLICANT FOR DO/EO/US Koji KATANO | | | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). c. <input checked="" type="checkbox"/> The International Application was filed in English. 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input checked="" type="checkbox"/> An English language copy of the annexes of the International Preliminary Report on Patentability under PCT Article 36 (35 U.S.C. 371(c)(5)). | | | | | |
| Items 11 to 20 below concern document(s) or information included: | | | | | |
| <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Designation of Attorneys for Power of Attorney; a copy of the International Search Report is attached to the Information Disclosure Statement. | | | | | |

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| U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) New U.S. Patent Application 10/592,936 | | INTERNATIONAL APPLICATION NO. PCT/IB2005/001101 | | ATTORNEY'S DOCKET NUMBER 129370 | |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS | |
| | | | | PTO USE ONLY | |
| BASIC NATIONAL FEE (37 CFR 1.492(a)): \$ 300.00 | | | | \$300.00 | |
| SEARCH FEE (37 CFR 1.492(b)(1)-(3)): | | | | \$400.00 | |
| International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national phase \$ 0.00 | | | | | |
| International search fee (37 CFR 1.445(a)(2)) paid to USPTO as ISA..... \$ 100.00 | | | | | |
| International search report provided to USPTO no later than the time at which the search fee is paid \$ 400.00 | | | | | |
| All situations not provided for above \$ 500.00 | | | | | |
| EXAMINATION FEE (37 CFR 1.492(c)(1)-(2)): | | | | \$200.00 | |
| International preliminary examination report or written opinion prepared by the USPTO as IPEA or ISA and favorable as to novelty, inventive step, and industrial applicability for all claims presented in the application entering the national phase \$ 0.00 | | | | | |
| All situations not provided for above \$ 200.00 | | | | | |
| Surcharge of \$130.00 for furnishing the search fee, the examination fee or the oath or declaration after the date of commencement of the national phase (37 CFR 1.492(h)). | | | | \$ | |
| APPLICATION SIZE FEE | | + 50 | = † | x 250 = | \$ |
| Total pages 18 - 100 = | | | | | |
| †round up to next integer | | | | | |
| CLAIMS | | NUMBER FILED | NUMBER EXTRA | RATE | \$ |
| TOTAL CLAIMS | | 10 - 20 | = 0 | x 50.00 = | \$ |
| INDEPENDENT CLAIMS | | 1 - 3 | = 0 | x 200.00 = | \$ |
| MULTIPLE DEPENDENT CLAIM(S)(if applicable) | | | + 360.00 = | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$900.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | |
| SUBTOTAL = | | | | \$900.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$900.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | | | \$ | |
| TOTAL FEES ENCLOSED = | | | | \$900.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |
| a. <input checked="" type="checkbox"/> Check No. <u>184230</u> in the amount of <u>\$900.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC Customer Number: 25944 | | | | | |
| Date <u>September 15, 2006</u> | | | | NAME: <u>James A. Oliff</u> REGISTRATION NUMBER: <u>27,075</u> NAME: <u>Joel S. Armstrong</u> REGISTRATION NUMBER: <u>36,430</u> | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Koji KATANO

Attn: PCT Branch

Application No. New U.S. Patent Application

Filed: September 15, 2006

Docket No.: 129370

For: FUEL CELL SYSTEM

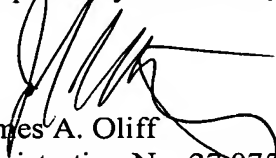
**TRANSMITTAL OF THE ANNEXES TO THE
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a copy of the annexes to the International Preliminary Report on Patentability (Form PCT/IPEA/409). The attached material replaces the claims in their entirety from page 12 to page 13.

Respectfully submitted,


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Joel S. Armstrong
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JAO:JSA/nxy

Date: September 15, 2006

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**DEPOSIT ACCOUNT USE
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